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Attorneys for Plaintiffs PATRICK CONNALLY
 and DISABILITY RIGHTS ENFORCEMENT,
 EDUCATION SERVICES

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

PATRICK CONNALLY, an individual; and)	CASE NO. C 07-3032-BZ
DISABILITY RIGHTS ENFORCEMENT,)	
EDUCATION, SERVICES: HELPING)	STIPULATION OF DISMISSAL AND
YOU HELP OTHERS, a California public)	[PROPOSED] ORDER THEREON
benefit corporation,)	
Plaintiffs,)	
v.)	
BAYPORT MARINA PLAZA LLC, a)	
limited liability company,)	
Defendant.)	

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Settlement Agreement and Release (“Agreement”) herein, each party is to bear its own costs and attorneys’ fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

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1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action
2 through their designated counsel that the above-captioned action be and hereby is dismissed
3 with prejudice pursuant to Federal Rules of Civil Procedure section 41(a)(1).

4 This stipulation may be executed in counterparts, all of which together shall constitute
5 one original document.

6
7 Dated: April 10, 2008

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

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9 By: _____/s/
10 Thomas E. Frankovich
11 Attorneys for Plaintiffs PATRICK CONNALLY
12 and DISABILITY RIGHTS ENFORCEMENT,
EDUCATION SERVICES:HELPING YOU
HELP OTHERS

13 Dated: April 8, 2008

BRANSON BRINKOP GRIFFITH
& STRONG LLP

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16 By: _____/s/
17 John R. Campo
18 Attorneys for Defendant BAYPORT MARINA
PLAZA LLC, a limited liability company

19 **ORDER**

20 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
21 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for
22 the purpose of enforcing the parties' Settlement Agreement and Release should such
23 enforcement be necessary.

24
25 Dated: _____, 2008

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27 _____
Hon. Bernard Zimmerman
UNITED STATES MAGISTRATE JUDGE
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